

PRE 1900 LEGAL TERMS FOR GENEALOGISTS

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ca – about	ef – see also
dec – deceased	nd – no date
dsp – dec w/out issue	np – no place
dspm – dec w/out male issue	sic – thus
daps – dec w/out surviving issue	femme sole–unmarried woman
dvp – dec in father’s lifetime	femme covert – married woman
dvm – dec in mother’s lifetime	deranged – separated from military service
LE – licensed exhorter – Methodist	crazy – physically ill
PE – presiding elder – Methodist	spinster – female legally capable of acting in her own behalf
MG- minister of the Gospel	CC – Chain carrier
	CCt – Clerk of Court

WILLS:

will – real; testament-personal	my now wife – present wife: No inference
testate – with valid will	domicile – intends to return when absent
intestate – without valid will	own cousin – first cousin
numcupative – oral to witnesses	brother – full / half / step / adopted / in-law
holographic – handwritten	brother-in-law – half brother
codicil – supplement	cousin- uncle or nephew
bequest – personal property	nephew – nepos (grandson)
devise – real property	natural child – by blood (not nec. Illegit)
imprimis – in the first place	senior – elder
in esse – in being	adm c. t. a. – adm. Cum testament
	annexo-adm with will annexed, appted by court if defective
in vitro – not yet born	will: no exec; or exec fails to act
non compos mentis – no mental capacity	adm dbn – adm. de bonis non-property discovered after probate completed
per stirpes– right of heirs to inherit, according to blood relationship by representation by dividing their deceased ancestor’s share	
per capita – right of heirs to inherit, share and share alike, all heirs inheriting equally, nephews with uncles, without regard to degree of relationship to decedent	jurat – certificate of notary public or other authorized officer
	Relic – one left behind
	consort – spouse still living

MINUTES:

plaintiff / petitioner – complainant
defendant / respondent
attorney-in-fact – power of attorney
original attachment – initial attachment
fifa – (Fieri facias) cause it to be done
 execution
supoena deuces tecum – bring with you

nunc pro tune – now, for then
de novo – anew
infant – under age of majority
et uxor, et vir – and wife, and husband
et pater, et mater – and father, and mother
et fils – and son

estrays – strays

skilliards – scales

de jure – by right of law

DEEDS:

abstract – chain of title
will transfer – not by deed
affidavit of heirship – to clear title
indenture – lien – retained deed
chattel deed – personal property

Life Estate – for life only
(of someone's life)
fee simple absolute – absolute title
parsonage glebe – church land
cutilage – soil adjoining house (yard)
messuage – building included
improvements – buildings.
appurtenances – easements,
 rights-of-way
hereditaments – rights to inherit
 tangibles
Virginia Hundred – supports 100
 families
Curtesy – widower's Life Estate
 interest in wife's real property
 if he sired issue by her which were
 or was born alive
Dower – widow's Life Estate interest
 in Third of husband's real
 property owned during the
 marriage

Sources:

Black, Henry C. *Law Dictionary* (St. Paul, MN: West Pub. Co., 1891ff)
Stevenson, Noel C., *Genealogical Evidence* (Laguna Hills, CA, Aegean Park Press, 1979)
Myrick, Shelby, Jr. *Glossary of Legal Terminology* (Nashville, TN, AASLH, 1970) TL #55
Rubincam, Milton *Pitfalls in Genealogical Research* (Salt Lake City, Ancestry Pub., 1987)
Swaim, Benjamin, *The North-Carolina Justice...*(Raleigh: J. Gales & Son, 1839)